

Minutes of a meeting of the Combined Fire Authority held at County Hall, Glenfield on Friday, 27 September 2019.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Cllr. S. Barton	Ms. Betty Newton CC
Mr. I. E. G. Bentley CC	Mr T. Parton CC
Cllr. Hemant Rae Bhatia	Mr J. Poland CC
Mr. G. A. Boulter CC	Mrs. J. Richards CC
Cllr. K. Singh Johal	Cllr. A. Thalukdar
Mr. J. Kaufman CC	Mrs. M. Wright CC
Mr. M. T. Mullaney CC	

In attendance

Rick Taylor, Chief Fire and Rescue Officer
Alison Greenhill, Treasurer
Lauren Haslam, Monitoring Officer
Matthew Wallace, Director of Estates and Building Services
Mick Grewcock, Leicestershire Fire and Rescue Service
Paul Weston, Leicestershire Fire and Rescue Service
Gavin Barker, Mazars
Anita Pipes, Mazars
Anna Poole, Democratic Services Officer

34. Apologies for absence.

Apologies were received from Councillor. K. Bool, Councillor L. Fonseca, Mr. D. Harrison and Mr Liquorish JP CC.

35. Declarations of interest.

The Chairman invited members who wished to do so to declare any interests in respect of items on the agenda.

Councillor. S. Barton, Councillor. H. Rae Bhatia, Councillor. K. Singh Johal and Councillor. A. Thalukdar each declared a personal interest in agenda item 9 "Strategic Business Case – Training Facility – Service Leadership and Development Centre" as members of Leicester City Council.

No further declarations were made.

36. To advise of any other items which the Chair has decided to take as urgent.

The Chairman advised that there was one urgent item for consideration regarding the lease arrangements with East Midlands Ambulance Service (EMAS) for the use of facilities at the Fire Service Headquarters, Birstall and Coalville Fire and Rescue Station.

The report was urgent because Mr. G. A. Boulter CC had requested an update on the situation at this meeting.

The Chief Fire and Rescue Officer confirmed that the lease had been signed by EMAS by June 2019 and the rent to cover the lease period already passed had been paid.

37. Chair's Announcements.

The Chairman's announcements were tabled at the meeting, a copy of which is filed with these minutes. The announcements covered the following matters:

- Leicester Pride
- Station Open Days
- Have a Go Days
- HMICFRS Chairs Event
- Leaving Europe
- LFRS – The Champions

The Chairman also highlighted the training events available to members which were provided by the Local Government Association. Councillor Sue Barton, Mrs. M. Wright CC and Mr. T. Parton CC agreed that they would attend the training.

Additionally, the Chairman announced the following regarding the administration of the Fire Service pension scheme; a copy of which was tabled at the meeting and is filed with these minutes:

"I would also like to mention that I have been made aware by the Pension Manager for Leicestershire County Council of the termination of the arrangement for support service for Fire Service pensions with effect from 31 March 2020.

This is because of the increasing complexity in this area of work as a result of the introduction of the Career Average Revalued Earnings scheme, which is now compounded by the recent McCloud Supreme court judgment on age discrimination.

The County Council Pensions Service therefore believes it does not have the continuing capacity to deliver the service and its professional view is that it would be better for this provision to be managed by a specialist provider. I know that the Pensions Manager has discussed the increasing complexity of pensions with the service since April 2015.

There are a number of specialist Fire pension support providers in the market and the Pension Manger has committed to work constructively with the service to procure the specialist service required. I was consulted in relation to this operational decision and fully support it for the reasons just outlined.

I know that this is an issue which needs to be resolved. I will convene a meeting between the Chief Fire Officer, Scheme Manager and the Pension Manager to discuss the future arrangements".

In response to questions, the Treasurer and Scheme Manager explained that the Chairman's announcement related to the design of the pension scheme; the ability for fire fighters to carry out the role as they approached state pension age was reflective of the issues faced by many other organisations with ageing employees.

RESOLVED:

That

- a. the Democratic Services Officer would book attendance for Members at the training events provided by the Local Government Association;
- b. a meeting will be convened between the Chief Fire and Rescue Officer, Scheme Manager and the Pension Manager to discuss the future pension administration arrangements.

38. Public Participation/ CFA Rules of Procedure Rule 9 - Member Questions.

It was reported that no questions had been received.

39. Minutes of the previous meeting.

The minutes of the CFA meeting held on 26 July 2019 were considered.

It was moved by Mr Rushton CC and seconded by all members that the minutes should be taken as read, confirmed and signed.

RESOLVED:

That the minutes of the meeting of the Combined Fire Authority held on 26 July 2019 be taken as read, confirmed and signed.

40. Minutes of the Corporate Governance Committee meeting held on 17 July 2019.

The minutes of the Corporate Governance Committee meeting held on 17 July 2019 were considered.

It was moved by Mrs. Newton CC and seconded by Mr. N. Rushton CC that the minutes be noted.

RESOLVED:

That the minutes of the Corporate Governance Committee meeting held on 17 July 2019 be noted.

41. Statement of Accounts and Annual Governance Statement 2018 - 19.

The CFA considered a report of the Treasurer which presented for approval the Statement of Accounts and Annual Governance Statement 2018/19. A copy of the report, marked "Agenda item 8", is filed with these minutes.

Gavin Barker, External Auditor, Mazars was welcomed to the meeting to offer his comments and opinion on the audit. He informed members that:

- i. The deadline for approval of the accounts was 31 July. Due to issues identified within the accounts, the production of the financial statements had been delayed. These issues had now been resolved and Mazars issued an unqualified opinion on the financial statements and the Value for Money conclusion;

- ii. The draft financial statements had been prepared by 31 May 2019 as was required by the financial regulations. However, they contained errors, largely technical in nature, which whilst significant in themselves, did not affect the 'bottom-line' financial position of the Authority. Additionally, it was highlighted that no issues with the operation of the Authority's financial systems had been identified;
- iii. Mazars had worked with officers to produce a revised set of draft financial statements and improved working papers, with support from officers from Leicester City Council. A large number of changes had been made, and the findings of the audit could now be reported;
- iv. Mazars assured members that the draft set of accounts presented at the meeting was now correct. It was recognised that it had been a difficult process for all involved;
- v. The technical aspects within the accounts, related to pensions, plant and equipment, needed addressing in future; it was recommended that the team at the Fire and Rescue Service received specialist support;
- vi. As a result of the difficulties experienced and the additional work undertaken, the fee charged by Mazars for the audit work would be increased by £8,000+VAT. This was supported by Members. Additionally, Members were informed that a significant error on the previous year's financial statements had been identified and corrected.

The Treasurer informed Members that the good level of rigour within this year's audit had exposed issues which were cause for concern. She assured members that, once the issues had been highlighted, officers from Leicester City Council had been brought in to support the finalisation of the accounts. In future, this would be properly resourced and supported, and planning for the closure of next year's accounts would commence immediately using resources from both the City and County Councils. Mazars would meet with officers later in the year to discuss the future approach and timescale.

Members expressed their extreme concern about the report received from Mazars; adding that changes were needed to prevent a re-occurrence with future audits. They assured Mazars that action would be taken by the CFA to prevent a re-occurrence in the future.

Members expressed concern about current practice with the closure of the accounts. Both the City and County Council Members offered the support of their financial staff and asked that the Treasurer conduct a review of current practice, the specialist support required and proposals for how this could be met, and that a report be presented to the CFA at its meeting in December 2019.

In response to member questions, members were reminded that the Corporate Governance Committee had been informed of the delay with this year's audit at its meeting in July 2019; at that time the detail of the issues and the reason for the delay had not been clear.

The Annual Governance Statement was signed at the meeting by the Chairman of the CFA, the Treasurer and the Chief Fire and Rescue Officer.

The Chairman thanked Mazars for attending the meeting and presenting to the CFA.

The recommendations in the report were moved by Mr Rushton CC and seconded by Councillor Singh Johal. The motion was put and carried unanimously.

RESOLVED:

That

- a. The ISA 260 report presented by Mazars, be noted;
- b. The Letter of Representation be approved;
- c. The Statement of Accounts 2018/19 be adopted;
- d. The Annual Governance Statement 2018/19, be approved;
- e. A report would be presented to the CFA at its meeting in December 2019 regarding the review of the LFRS financial team, the support required and presenting proposals for how this could be met.

42. Strategic Business Case - Training Facility - Service Leadership and Development Centre.

The CFA considered a report and presentation of the Chief Fire and Rescue Officer which presented an update on the progress of the Strategic Business Case for the design and build of the new Service Training Centre. The report and presentation were presented by the Director of Estates and Building Services from Leicester City Council. A copy of the report, marked "Agenda Item 9", and the presentation is filed with these minutes.

Arising from discussion, the following points were raised:

- i. The new building would house a Fire Behaviour Unit, a leadership and Development Centre and elements of external training facilities. A multi-faith prayer room would be included within the Leadership and Development building although an operational fire station was not included in the design. The members who attended the IRMP project Board supported this approach as an additional fire station at this location would contradict the research undertaken in forming the IRMP;
- ii. The development of a regional facility, for use by Leicestershire, Derbyshire and Nottinghamshire Fire and Rescue Services (FRS) had not been explored due to the travelling distance to the other centres and the arrangements that the other FRS had in place locally;
- iii. Although the training facilities would be removed from the Loughborough Fire Station, the operational fire station would remain at this site;
- iv. The Project Board consisted of technical representatives only. Some members expressed a wish to be involved although, as it was an operational-level board, this was not appropriate. It was agreed that there would be more frequent feedback to the CFA on progress;
- v. Regarding the search for a suitable site, specific details could not be given at this stage as discussions remained ongoing. Criteria used in consideration of a suitable site was a minimum size of 2-4 acres, good location, transport links and consideration of potential adverse impact on neighbours;

- vi. Regarding the predicted funding requirement of £7.2m, members expressed concern about funding availability. The Treasurer explained that just under £6m was available in the Estates reserve budget. The report to be presented to the CFA at its meeting in December 2019 would include funding options for consideration; and would also take into account the outcome of the IRMP;
- vii. LFRS do use the Fire Service College training facility at Moreton-in-Marsh for specialist training. However, the costs of using it for day-to-day training was prohibitive;
- viii. If members wished to visit the current five sites used for training, they should contact the CFO directly for the visit to be arranged.

The recommendation was moved by Mr Rushton CC and seconded by Councillor Singh Johal. The motion was put and carried unanimously.

RESOLVED:

That:

- a. the Strategic Business Case for a Service Training Facility appended to this report be noted;
- b. the opportunities and risks of offsetting costs by integrating the Service Training Facility into the wider Estates Plan be noted;
- c. the Estates and Building Services department of Leicester City Council continue to lead the Project Management of the project to practical completion be agreed;
- d. LFRS and their Project Manager be authorised to continue to progress the concept, design development and technical detailing for the consolidated Leadership and Development Centre; and
- e. a further report be presented to the CFA at its meeting in December 2019.

43. Equalities Annual Progress Report 2018 - 19.

The CFA considered a report of the Chief Fire and Rescue Officer which sought approval for the draft Annual Equalities report 2018-19. A copy of the report, marked "Agenda item 10", is filed with these minutes.

Mrs Newton, the CFA's Equality Champion, highlighted that positive action would be undertaken in recruitment to encourage under-represented groups to apply.

The recommendations were moved by Mrs Newton CC and seconded by Mr Rushton CC. The motion was put and carried unanimously.

RESOLVED:

That:

- a. the draft Annual Equalities Report for 2018-19 be approved; and

- b. a further report be presented to the CFA at its meeting in December 2019.

44. Service Delivery Update.

The CFA considered a report of the Chief Fire and Rescue Officer which highlighted the key service delivery matters since the CFA meeting held on 19 June 2019. A copy of the report, marked "Agenda item 11", is filed with these minutes.

Arising from discussion, the following points were raised:

- i. The fire incidents at HMP Stocken were frequently distinguished by Prison officers before the FRS arrived. Members were assured that there was no significant risk to life or officers at the prison. Officers would work with the Governors to resolve and reduce the number of incidents;
- ii. Members would like to see further data included in the report on the number of Road Traffic Collisions which resulted in fatalities. The Chief Fire and Rescue Officer explained that it was not possible to obtain accurate data for those deaths that occurred in hospital, but that year to date figures, as an indication, could be included in the report;
- iii. LFRS was not a statutory partner of the Road Safety Partnership, although they did work closely with them, to identify and address accident blackspots in Leicestershire.

It was moved by Mr Rushton CC and seconded by Councillor Singh Johal that:

- a. The update provided on the key service delivery matters since 19 June 2019, particularly the positive increase in On-Call availability following the introduction of Tactical Response Vehicles, be noted; and
- b. Future reports would include data (year to date figures) on the number of fatalities resulting from Road Traffic Collisions.

RESOLVED:

That:

- c. The update provided on the key service delivery matters since 19 June 2019, particularly the positive increase in On-Call availability following the introduction of Tactical Response Vehicles, be noted; and
- d. Future reports would include data (year to date figures) on the number of fatalities resulting from Road Traffic Collisions.

45. Industrial Action Business Continuity Planning.

The CFA considered a report of the Chief Fire and Rescue Officer which informed the CFA of actions taken following receipt of the Home Office review of the Authority's Business Continuity Plans and which sought agreement for future updates to be presented to the Corporate Governance Committee. A copy of the report, marked "Agenda item 12", is filed with these minutes.

The recommendations in the report were moved by Mr Rushton CC and seconded by Councillor Singh Johal.

RESOLVED:

That:

- a. The content of the report and the progress made against the recommendations in the Home Office review into Industrial Action Business Continuity Planning of Leicestershire Fire and Rescue Service be acknowledged; and
- b. future progress reports against the recommendations in the Home Office review into Industrial Action Business Continuity Planning be presented to the Corporate Governance Committee.

46. Date of Next Meeting.

The next meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority will be held on Friday 13 December 2019 at 10am at Leicester City Council, City Hall, Leicester.

47. Exclusion of the Press and Public.

RESOLVED:

That under Section 100(A) of the Local Government Act 1972 the public be excluded from the meeting on the grounds that it will involve the likely disclosure of exempt information during consideration of the following item of business as defined in paragraphs 3, 4 and 10 of Schedule 12A of the Act; and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

Industrial Action - Operational Staff Pay Arrangements and Third-Party Contingency Providers.

48. Industrial Action - Operational Staff Pay Arrangements and Third-Party Contingency Providers.

The CFA considered an exempt report of the Chief Fire and Rescue Officer concerning operational staff pay arrangements and the use of third-party contingency providers in the event of industrial action. A copy of the report, marked "Agenda item 16", is filed with these minutes. The report was not for publication by virtue of paragraphs 3, 4 and 10 of Schedule 12A of the Local Government Act 1972.

It was moved by Mr Rushton CC and seconded by Councillor Singh Johal that recommendation (a) contained within the report be approved. The motion was put and carried with 13 members voting for the motion and 1 abstaining.

It was moved by Mr Rushton CC and seconded by Councillor Singh Johal that recommendation (b) within the report be approved. The motion was put and carried with 8 members voting for the motion, 2 voting against and 4 abstaining.

RESOLVED:

That:

- a. The contingency arrangements outlined in paragraphs 17-26 in the report be approved; and
- b. The Service Continuity Plan, Industrial Action – Operational Staff, Pay Arrangements, be approved.

10.00 - 11.50 am
27 September 2019

CHAIRMAN